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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,739	12/19/2001	Bartholomeus Johannes Van Rijnsoever	NL000748	4464

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,739

Applicant(s)

VAN RIJNSOEVER ET AL.

Examiner

Venkatanarayanan Perungavoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/3/02 & 5/6/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specifications

1. The Specifications is deficient of titles for appropriate sections within the specifications, i.e. *Background of Invention, Summary of Invention, Brief Description of Drawings, Detailed Descriptions, etc...*.Appropriate correction is required.
2. The Abstract contains "Fig.3", which is irrelevant to the abstract. The examiner recommends that it be removed.
3. The Abstract contains numeral references to items contained in figures, which must be enclosed by parenthesis, e.g. transmitter(100). Appropriate correction is required.
4. The Examiner suggests the following title: Conditional Access for a Transmission System using an authorization key.

Drawings

5. Figure 1 is deficient of names for the items, the Examiner recommends names by added to each of items. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 1-3, 7-8 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,026,165 to Marino et al.(hereinafter Marino)
8. Regarding Claim 1, Marino discloses the sending of encrypted data with a key to all receivers with associated device key see Col 5 Ln 31-50; receivers receiving the key block and encrypted data and first decryptor for retrieving the key and second decoder for the message see Col 5 Ln 50-67 & Fig. 3 item 44 & item 42.
9. Regarding Claim 2, Marino discloses the device keys being unique to receivers see Col 8 Ln 20-35.
10. Regarding Claim 3, Marino discloses the comparing of keys and further about performing redundancy check and performing decryption accordingly see Col 5 Ln 16-30 & Col 5 Ln 50-67.

11. Regarding Claim 7 and 8, Marino discloses transmitting to all receivers a key block encrypted using a authorization key and key block containing the device ID unique to device and retrieving the key by decrypting the block and decrypting data see Fig. 3 item 28-34 & item 42 & 44 & Col 5 Ln 31-67.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,026,165 to Marino et al.(hereinafter Marino) in view of U.S. Patent 6,118,873 to Lotspiech et al.(hereinafter Lotspiech).

14. Regarding Claim 5, Marino does not discloses the renewing of device keys. However, Lotspiech discloses the renewing of device keys see Col 6 Ln 13-23. It would be obvious to one having ordinary skill in the art at the time of the invention to include the renewing of device keys in the invention of Marino in order to get an new keys free from unauthorized use as taught in Lotspiech see Col 6 Ln 41-50.

15. Regarding Claim 6, Marino discloses RF communication see Col 6 Ln 26-33, but not broadcasting real-time data. However, Lotspiech discloses the broadcasting of real time data see Col 6 Ln 6-8. It would be obvious to one having ordinary skill in the art at the time of the invention to include the broadcasting of real time data in the invention of Marino in order to get live communications as taught in Lotspiech see Col 4 Ln 55-65.

Allowable Subject Matter

16. Claim 4 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,167,137 to Marino et al.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The

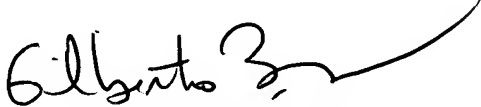
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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
9/2/2005


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100